

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	CHAPTER 11
)	
K.G. IM, LLC, <i>et al.</i> , ¹)	
)	CASE NO. 20-11723 (MG)
Debtors.)	
)	(Jointly Administered)
)	

**ORDER ESTABLISHING DEADLINE FOR FILING PROOFS OF CLAIM
AND APPROVING THE FORM AND MANNER OF NOTICE THEREOF**

Upon the application of the above-captioned debtors and debtors in possession (collectively, the “Debtors”), for an order, pursuant to Federal Rule of Bankruptcy Procedure (“Bankruptcy Rule”) 3003(c)(3), fixing a deadline (the “Bar Date”) and establishing procedures for filing proofs of claim and approving the form and manner of service thereof, and it appearing that the relief requested is in the best interests of the Debtors, their estates, and creditors and that adequate notice has been given and that no further notice is necessary; and after due deliberation and good and sufficient cause appearing therefor, it is hereby

ORDERED, that except as otherwise provided herein, all persons and entities, (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts and governmental units) that assert a claim, as defined in Section 101(5) of the Bankruptcy Code, against the Debtors which arose on or prior to the filing of the chapter 11 petitions on July 28, 2020 (the “Filing Date”), shall file a proof of claim electronically through the claims agent’s website so that it is received on or before December 15, 2020; and it is further

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (if any), include: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613); IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll, LLC (0807). For the purpose of these chapter 11 cases, the service address for the Debtors is: 1761 Yardley Langhorne Rd., Yardley, PA 19067.

ORDERED, that the following procedures for the filing of proofs of claim shall apply:

- (a) Proofs of claim must conform substantially to Official Bankruptcy Form No. 410;
- (b) Proofs of claim must be filed either: electronically through the claims agent's website or by mailing the original proof of claim either by U.S. Postal Service mail or overnight delivery the original proof of claim to the K.G. IM, LLC, c/o Omni Agent Solutions, 5955 De Soto Avenue, Suite 100, Woodland Hills, CA 91367 or by delivering the original proof of claim by hand to the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004;
- (c) Proofs of claim will be deemed filed only when received by the Omni Agent Solutions on or before the Bar Date;
- (d) Proofs of claim must (i) be signed; (ii) include supporting documentation (if voluminous, attach a summary) or an explanation as to why documentation is not available; (iii) be in the English language; and, (iv) be denominated in United States currency;
- (e) Proofs of claim must specify by name and case number the Debtor against which the claim is filed; if the holder asserts a claim against more than one Debtor or has claims against different Debtors, a separate proof of claim form must be filed with respect to each Debtor; and it is further

ORDERED, Proofs of Claim need not be filed as to the following types of claims:

- (a) Any claim as to which the holder has already filed a proof of claim against the Debtors in the above-captioned case in a form substantially similar to Official Bankruptcy Form No. 410 so long as the claimant does not wish to assert such

claim against a Debtor who was not named in the original claim, in which case another Proof of Claim must be filed;

- (b) Any claim that is listed on the Schedules filed by the Debtors, provided that (i) the claim is not scheduled as “disputed”, “contingent” or “unliquidated”; and (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules; and (iii) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- (c) Any claim that heretofore has been allowed by Order of this Court;
- (d) Consistent with paragraph 43 of the *Interim Order: (I) Authorizing The Debtors To Obtain Postpetition Financing; (II) Authorizing The Debtors To Use Cash Collateral; (III) Granting Adequate Protection To The Prepetition Secured Parties; (IV) Granting Liens and Providing Claims With Superpriority Administrative Expense Status; (V) Modifying the Automatic Stay; and (VI) Granting Related Relief* (ECF No. 259) (the “Interim DIP Order”), none of the Prepetition Secured Parties shall be required to file proofs of claim or requests for approval of administrative expenses in any of the chapter 11 cases, and the provisions of the Interim DIP Order relating to the Prepetition Obligations shall constitute timely filed Proofs of Claim and/or administrative expense requests in each of the chapter 11 cases; *provided* that notwithstanding anything to the contrary herein, the Prepetition Agent is authorized, but not required, to file one master proof of claim (any such claim, a “Master Proof of Claim”) by the General Claims Bar Date for principal, interest, applicable premium (if any),

fees and expenses (including attorneys' fees), and all other amounts payable under Prepetition Credit Documents, as applicable, on behalf of itself and the Prepetition Secured Lenders²;

- (e) Any claim that has been paid in full by any of the Debtors;
- (f) Any claim for which different specific deadlines have previously been fixed by this Court, including pursuant to the *Order Establishing Procedures For The Assertion and Payment of PACA Claims, PASA Claims, And Related Relief Pursuant to Sections 105(a), 363 and 507(a) of the Bankruptcy Code* (ECF No. 261);
- (g) Any claim by a Debtor against another Debtor;
- (h) Any claim allowable under § 503(b) and § 507(a) (2) of the Bankruptcy Code as an expense of administration of the Debtor's estate, except as otherwise provided below;
- (i) an employee of the Debtors, but only to the extent that such claim is solely for outstanding wages, base salary, commissions, benefits, bonuses or other ordinary course compensation; provided, however, that any employee of the Debtors who wishes to assert a claim against the Debtors that is not based solely on outstanding wages, base salary, commissions, benefits, bonuses or other ordinary course compensation must file a proof of such claim on or prior to the General Bar Date.

ORDERED, Claims under section 503(b)(9) must be filed by the deadlines set forth in this Order, and it is further;

² Capitalized terms used but not otherwise defined in this paragraph shall have the meaning set forth in the Interim DIP Order.

ORDERED, that any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which the order authorizing such rejection is dated on or before the date of entry of this Order, must file a proof of claim based on such rejection on or before the Bar Date, and any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which an order authorizing such rejection is dated after the date of entry of this Order, must file a proof of claim on or before such date as the Court may fix in the applicable order authorizing such rejection; and it is further

ORDERED, that holders of equity interests in the Debtors need not file proofs of interest with respect to the ownership of such equity interest, provided, however, that if any such holder asserts a claim against the Debtors (including a claim relating to an equity interest or the purchase or sale of such equity interest), a proof of such claim must be filed on or prior to the Bar Date pursuant to the procedures set forth in this Order; and it is further

ORDERED, that if the Debtors amend or supplement the Schedules subsequent to the date hereof, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall be afforded thirty (30) days from the date of such notice to file proofs of claim in respect of their claims and shall be given notice of such deadline; and it is further

ORDERED, that nothing in this Order shall prejudice the right of the Debtors or any other party in interest to dispute or assert offsets or defenses to any claim reflected in the Schedules; and it is further

ORDERED, that pursuant to Bankruptcy Rule 3003(c)(2), all holders of claims that fail to comply with this Order by timely filing a proof of claim in appropriate form shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution; and it is further

ORDERED, that a copy of the notice substantially in the form annexed hereto is approved and shall be deemed adequate and sufficient if served by first-class mail at least thirty-five (35) days prior to the Bar Date on:

- (a) the United States Trustee for Region 2;
- (b) counsel to any appointed committee;
- (c) counsel to the lenders under the Debtors' debtor in possession financing facility and under the Debtor's prepetition secured credit agreement;
- (d) persons or entities that have requested notice of the proceedings in the Debtors' chapter 11 cases;
- (e) persons or entities that previously have filed proofs of claim in the Debtors' chapter 11 cases;
- (f) all creditors and other known holders of claims listed on the Schedules at the addresses stated therein;
- (g) counterparties to the Debtors' executory contracts and unexpired leases;
- (h) parties to litigation with the Debtors;
- (i) state attorneys general and state departments of revenue for states in which the Debtors conduct business;
- (j) the Internal Revenue Service;
- (k) the United States Food and Drug Administration; and
- (l) known governmental units applicable to the Debtors' businesses, to the extent not listed in the foregoing clauses.

ORDERED, that pursuant to Bankruptcy Rule 2002(l), the Debtors shall publish a form of the Bar Date Notice (modified as necessary but consistent with the requirements of the Guidelines), substantially in the form attached hereto as Exhibit 3 (the "Publication Notice") once, in the national edition of *The New York Times* at least twenty-eight (28) days prior to the Bar Date, which publication is hereby approved and shall be deemed good, adequate and sufficient publication notice of the Bar Date; and it is further

ORDERED, that any person or entity who desires to rely on the Schedules will have the responsibility for determining that the claim is accurately listed in the Schedules; and it is further

ORDERED, that the Debtors and their Claims Agent are authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order; and it is further

ORDERED, that entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing a date by which holders of claims or interests not subject to the Bar Date established herein must file such proofs of claim or interest or be barred from doing so.

IT IS SO ORDERED.

Dated: November 10, 2020
New York, New York

/s/ Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge

Exhibit 1

Proposed Proof of Claim Form

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

Fill in the information to identify the case (Select only one Debtor per form):

- K.G. IM, LLC (Case No. 20-11723)
 IL Mulino USA, LLC (Case No. 20-11724)
 IM LLC III (Case No. 20-11725)
 IMNYLV, LLC (Case No. 20-11726)
 IM NY, Florida, LLC (Case No. 20-11727)
 IM NY, Puerto Rico, LLCC (Case No. 20-11728)
 IMNY AC, LLC (Case No. 20-11729)
 IM Products, LLC (Case No. 20-11730)
 IM 60th Street Holdings, LLC (Case No. 20-11734)
 IM Long Island, LLC (Case No. 20-11732)
 IM Franchise, LLC (Case No. 20-11733)
 IM Long Island Restaurant Group, LLC (Case No. 20-11731)
 IM Broadway, LLC (Case No. 20-11735)
 IMNY Hamptons, LLC (Case No. 20-11736)
 IM Payroll, LLC (Case No. 20-11778)

Official Form 410

Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Carefully read instructions included with this Proof of Claim before completing. In order to have your claim considered for payment and/or voting purposes, complete ALL applicable questions.

Part 1: Identify the Claim		
1. Who is the current creditor?	Name of the current creditor (the person or entity to be paid for this claim) _____ Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input type="checkbox"/> No <input type="checkbox"/> Yes From whom? _____	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Name _____ Number Street _____ City State ZIP Code _____ Contact Phone _____ Contact email _____ Uniform claim identifier for electronic payments in chapter 13 (if you use one) _____	Name _____ Number Street _____ City State ZIP Code _____ Contact Phone _____ Contact email _____
4. Does this claim amend one already filed?	<input type="checkbox"/> No <input type="checkbox"/> Yes Claim Number on court claims registry (if known) _____ Filed On _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input type="checkbox"/> No <input type="checkbox"/> Yes Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No Yes Last 4 digits of the debtor's account or any number you use to identify the debtor: _____

7. How much is the claim? \$ _____ Does this amount include interest or other charges? No Yes Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information

9. Is all or part of the claim secured? No Yes The claim is secured by a lien on property

Nature of property:

Real Estate If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*

Motor Vehicle

Other Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded).

Value of Property: \$ _____

Amount of the claim that is secured: \$ _____

Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7).

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate: (when case was filed) _____%

Fixed Variable

10. Is this claim based on a lease? No Yes **Amount necessary to cure any default as of the date of the petition.** \$ _____

11. Is this claim subject to a right of setoff? No Yes Identify the property: _____

12. Is this claim for the value of goods received by the debtor within 20 days before the commencement date of this case (11 U.S.C. §503(b)(9)).? No Yes Amount of 503(b)(9) Claim: \$ _____

13. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

- No
 Yes *Check all that apply*

Amount entitled to priority

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

- Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____
- Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____
- Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____
- Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____
- Contributions to an employee benefit plan 11 U.S.C. § 507(a)(5). \$ _____
- Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies. \$ _____

* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it.

FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am the guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____
 MM / DD / YYYY

 Signature

Print the name of the person who is completing and signing this claim:

Name _____
 First Name Middle Name Last Name

Title _____

Company _____
 Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____
 Number Street

City State ZIP Code

Contact Phone _____ Email _____

Exhibit 2

Bar Date Notice

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	CHAPTER 11
)	
K.G. IM, LLC, <i>et al.</i> , ¹)	
)	CASE NO. 20-11723 (MG)
Debtors.)	
)	(Jointly Administered)
)	

**NOTICE OF (I) DEADLINE REQUIRING
FILING OF PROOFS OF CLAIM BY CREDITORS ON OR BEFORE
DECEMBER 15, 2020 AND (II) DEADLINE REQUIRING FILING OF PROOFS
OF CLAIM BY GOVERNMENTAL UNITS ON OR BEFORE JANUARY 25, 2021**

TO ALL CREDITORS OF THE DEBTORS AND DEBTORS IN POSSESSION LISTED BELOW:

PLEASE TAKE NOTICE THAT:

On July 28, 2020 (the “**Petition Date**”), the debtors and debtors in possession listed below (each a “**Debtor**” and collectively, the “**Debtors**”) filed a voluntary petition for relief pursuant to chapter 11 of the Bankruptcy Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of New York (the “**Court**”). An additional Debtor, IM Payroll, LLC filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code on July 31, 2020. Set forth below are the names under which each Debtor has conducted business, its tax identification, and its respective case number:

Debtor	Tax ID	Case No.
K.G. IM, LLC	20-0688556	20-11723 (MG)
IL Mulino USA, LLC	43-2041682	20-11724 (MG)
IM LLC – III	20-0122613	20-11725 (MG)
IMNYLV, LLC	20-0119805	20-11726 (MG)
IM NY, Florida, LLC	20-2919385	20-11727 (MG)
IM NY, Puerto Rico, LLC	20-2920901	20-11728 (MG)
IMNY AC, LLC	26-0325082	20-11729 (MG)

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (if any), include: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613); IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll, LLC (0807). For the purpose of these chapter 11 cases, the service address for the Debtors is: 1761 Yardley Langhorne Rd., Yardley, PA 19067.

Debtor	Tax ID	Case No.
IM Products, LLC	20-2610303	20-11730 (MG)
IM Long Island Restaurant Group, LLC	20-1051623	20-11731 (MG)
IM Long Island, LLC	20-1051488	20-11732 (MG)
IM Franchise, LLC	20-2750565	20-11733 (MG)
IM 60 th Street Holdings, LLC	45-4859997	20-11734 (MG)
IM Broadway, LLC	46-5124335	20-11735 (MG)
IMNY Hamptons, LLC	82-3940423	20-11736 (MG)
IM Payroll, LLC	46-3050807	20-11778 (MG)

The Court has entered an Order (the “**Bar Date Order**”) establishing December 15, 2020 at 5:00 p.m. (prevailing Eastern time) (the “**General Bar Date**”) as the last date for each person or non-governmental entity (including individuals, partnerships, corporations, joint ventures, estates and trusts) to file a proof of claim in respect of any claim against any of the Debtors listed above arising on or before the Petition Date.

The Bar Date Order further establishes January 25, 2021 at 5:00 p.m. (prevailing Eastern Time) (the “**Governmental Unit Bar Date**” and, together with the General Bar Date, the “**Bar Dates**”) as the last date for a governmental unit (as defined in section 101(27) of the Bankruptcy Code) to file a proof in respect of any claim against any of the Debtors listed above arising on or before the Petition Date.

The Bar Dates and the procedures set forth below for filing proofs of claim apply to all claims against the Debtors that arose prior to the Petition Date, including administrative expense claims arising under section 503(b)(9) of the Bankruptcy Code (the “**Prepetition Claims**”), except for those claims listed in Section 4 below that are specifically excluded from the Bar Date filing requirement.

1. WHO MUST FILE A PROOF OF CLAIM

You **MUST** file a proof of claim to vote on any chapter 11 plan filed by the Debtors or to share in distributions from the Debtors’ bankruptcy estates (if any) if you have a Prepetition Claim against one or more of the Debtors that is not one of the types of claims described in Section 4 below. A proof of claim for any Prepetition Claim based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claim is not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this notice, the word “claim” means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

2. WHAT TO FILE

The Debtors are enclosing a proof of claim form for use in these cases that conforms substantially to Official Form No. 410. If your Prepetition Claim is scheduled by the Debtors, the proof of claim form sets forth the amount and type of your claim as scheduled by the Debtors, the specific Debtor against which the claim is scheduled, and whether the claim is scheduled as disputed, contingent and/or unliquidated. You may receive a different proof of claim form for each claim scheduled in your name by each of the Debtors. You may utilize the proof of claim form provided by the Debtors to file your claim. Additional proof of claim forms may be obtained at <https://omniagentsolutions.com/ilmulino>. All filed proofs of claim must conform substantially to the proof of claim form accompanying this notice or Official Form No. 410.

If you disagree with any of the information set forth on the enclosed proof of claim, including, without limitation, the amount or type of the Prepetition Claim set forth therein or the Debtor against which such claim is asserted, or that such claim is scheduled as contingent, disputed or unliquidated, you are required to file a proof of claim identifying the specific Debtor against which you are asserting a claim and the amount and type of such claim (or, in the case of multiple Debtors, proofs of claim against each such Debtor, identifying the relevant Debtor on each proof of claim).

All proof of claim forms must be signed by the claimant or, if the claimant is not an individual, by an authorized agent of the claimant. A proof of claim must be written in English and be denominated in United States currency. You should attach to your completed proof of claim any documents on which the claim is based (if voluminous, a summary thereof must also be attached) or an explanation as to why the documents are not available.

Your proof of claim form must not contain complete social security numbers or taxpayer identification numbers (only the last four digits), a complete birth date (only the year), the name of a minor (only the minor’s initials) or a financial account number (only the last four digits of such financial account).

Any holder of a Prepetition Claim against more than one Debtor must file a separate proof of claim with respect to each such Debtor, and all holders of Prepetition Claims must identify on each of their respective proofs of claim the specific Debtor against whom each such claim is asserted and the relevant case number for that Debtor’s bankruptcy case. A list of the names of the Debtors and their case numbers is above

3. WHEN AND WHERE TO FILE

Except as provided for herein:

- all persons or entities other than governmental units that assert a Prepetition Claim must file proof of such claim so as to be received on or before 5:00 p.m. (prevailing Eastern Time) on December 15, 2020; and
- governmental units asserting Prepetition Claims must file proof of such claim so as to be received on or before 5:00 p.m. (prevailing Eastern Time) on January 25, 2021.

Each proof of claim must be filed, including supporting documentation, by U.S. mail, overnight delivery or other hand delivery system, so as to be **actually received** on or before the applicable bar date in accordance with the Bar Date Order by Omni Agent Solutions (“**Omni**”) at the following address:

K.G. IM, LLC
c/o Omni Agent Solutions
5955 De Soto Avenue
Suite 100
Woodland Hills, CA 91367

Proofs of claim will be deemed filed only when received by Omni, the Debtors’ claims and noticing agent, or the Bankruptcy Court on or before the applicable deadline. The proof of claim must be a completed and signed original written proof of claim. Proofs of claim may not be delivered by facsimile, telecopy, or electronic mail transmission. If you submit a proof of claim to Omni by first-class mail, hand delivery, or overnight mail at the applicable address above and you wish to receive acknowledgment of Omni’s receipt of such proof of claim, you also must submit to Omni by the applicable Bar Date, and concurrently with the submission of your original proof of claim, (a) a copy of the original proof of claim, and (b) a self-addressed, stamped return envelope.

Alternatively, proofs of claim may be submitted electronically through the electronic filing system available at <https://omniagentsolutions.com/ilmulino>

4. WHO NEED NOT FILE A PROOF OF CLAIM

You do not need to file a proof of claim on behalf of a Prepetition Claim on or prior to the applicable Bar Date if you are:

- (a) Any claim as to which the holder has already filed a proof of claim against the Debtors in the above-captioned case in a form substantially similar to Official Bankruptcy Form No. 410 so long as the claimant does not wish to assert such claim against a Debtor who was not named in the original claim, in which case another Proof of Claim must be filed;
- (b) Any claim that is listed on the Schedules filed by the Debtors, provided that (i) the claim is not scheduled as “disputed”, “contingent” or “unliquidated”; and (ii) the claimant does not disagree with the amount, nature and priority of the

claim as set forth in the Schedules; and (iii) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;

- (c) Any claim that heretofore has been allowed by Order of this Court;
- (d) Consistent with paragraph 43 of the *Interim Order: (I) Authorizing The Debtors To Obtain Postpetition Financing; (II) Authorizing The Debtors To Use Cash Collateral; (III) Granting Adequate Protection To The Prepetition Secured Parties; (IV) Granting Liens and Providing Claims With Superpriority Administrative Expense Status; (V) Modifying the Automatic Stay; and (VI) Granting Related Relief* (ECF No. 259) (the “**Interim DIP Order**”), none of the Prepetition Secured Parties shall be required to file proofs of claim or requests for approval of administrative expenses in any of the chapter 11 cases, and the provisions of the Interim DIP Order relating to the Prepetition Obligations shall constitute timely filed Proofs of Claim and/or administrative expense requests in each of the chapter 11 cases; provided that notwithstanding anything to the contrary herein, the Prepetition Agent is authorized, but not required, to file one master proof of claim (any such claim, a “**Master Proof of Claim**” by the General Claims Bar Date for principal, interest, applicable premium (if any), fees and expenses (including attorneys’ fees), and all other amounts payable under Prepetition Credit Documents, as applicable, on behalf of itself and the Prepetition Secured Lenders;
- (e) Any claim that has been paid in full by any of the Debtors;
- (f) Any claim for which different specific deadlines have previously been fixed by this Court including pursuant to the *Order Establishing Procedures For The Assertion and Payment of PACA Claims, PASA Claims, And Related Relief Pursuant to Sections 105(a), 363 and 507(a) of the Bankruptcy Code* (ECF No. 261);
- (g) Any claim by a Debtor against another Debtor;
- (h) Any claim allowable under § 503(b) and § 507(a) (2) of the Bankruptcy Code as an expense of administration of the Debtor’s estate, except as otherwise provided below;
- (i) an employee of the Debtors, but only to the extent that such claim is solely for outstanding wages, base salary, commissions, benefits, bonuses or other ordinary course compensation; provided, however, that any employee of the Debtors who wishes to assert a claim against the Debtors that is not based solely on outstanding wages, base salary, commissions, benefits, bonuses or other ordinary course compensation must file a proof of such claim on or prior to the General Bar Date.

This Notice is being sent to persons and entities that have had some relationship with or done business with the Debtors, but which may not have an unpaid Prepetition Claim against a

Debtor. The fact that you have received this Notice does not necessarily mean that you have a claim against a Debtor.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Any person or entity that has a claim arising from the rejection of an executory contract or unexpired lease with the Debtors must file a proof of claim with respect to such claim by the later of: (a) the applicable Bar Date; (b) on the date that is thirty (30) days following the date of service of notice of entry of an order authorizing the rejection of such executory contract or unexpired lease (which order may include an order confirming a plan for the Debtors pursuant to chapter 11 of the Bankruptcy Code); or (c) the date set by any other order of the Bankruptcy Court authorizing rejection of such contract or lease.

6. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

ANY HOLDER OF A PREPETITION CLAIM THAT IS NOT EXEMPTED BY ONE OR MORE PROVISIONS OF SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM AND MANNER ON OR BEFORE THE APPLICABLE BAR DATE, SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR PURPOSES OF VOTING ON ANY PLAN FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

ANY HOLDER OF A PREPETITION CLAIM THAT FAILS TO FILE SUCH CLAIM AGAINST THE CORRECT DEBTOR AND IS NOT EXEMPTED BY ONE OR MORE PROVISIONS OF SECTION 4 ABOVE WILL BE BARRED FROM ASSERTING SUCH CLAIM AGAINST ANY OF THE OTHER DEBTORS OR THEIR CHAPTER 11 ESTATES (OR FILING A PROOF OF CLAIM WITH RESPECT THERETO) AFTER THE APPLICABLE BAR DATE, AND SUCH HOLDER SHALL NOT BE PERMITTED TO PARTICIPATE ON ACCOUNT OF SUCH CLAIM IN THE VOTING ON AND DISTRIBUTIONS UNDER ANY PLAN THAT IS FILED IN THESE CHAPTER 11 CASES.

7. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a Prepetition Claim against one or more of the Debtors on the Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed proof of claim form regarding the amount, type (i.e., secured, priority unsecured or non-priority unsecured) and nature (i.e., contingent, disputed, or unliquidated) of your Prepetition Claim. If the Debtors believe that you hold claims against more than one Debtor, you will receive multiple proof of claim forms, each of which will reflect the amount, type, and nature of your claim against one Debtor, as listed in the Schedules.

If you rely on the Schedules, it is your responsibility to determine that your Prepetition Claim is accurately listed on the Schedules. If (a) you agree with the amount and type of your Prepetition Claim as listed in the Schedules, (b) you do not dispute that your Prepetition Claim is

only against the Debtor specified by the Debtors in the Schedules, and (c) your Prepetition Claim is not described as “disputed,” “contingent,” or “unliquidated,” you need not file a proof of claim. Otherwise, if you decide to file a proof of claim, you must do so before the applicable Bar Date in accordance with the procedures set forth in this Notice.

You may be listed as the holder of a Prepetition Claim against one or more of the Debtors on the Schedules. Copies of the Debtors’ Schedules are available for inspection free of charge at <https://omniagentsolutions.com/ilmulino>. Copies of the Debtors’ Schedules are also available on the Court’s Public Access to Court Electronic Records (“PACER”) at <http://ecf.nysb.uscourts.gov>; a login and password are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules and Bar Date Order may also be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, New York, New York 10004-1408. Copies of the Schedules and Bar Date Order may also be obtained by written request (at your cost) to the Debtors’ claims and noticing agent at the following address:

K.G. IM, LLC
c/o Omni Agent Solutions
5955 De Soto Avenue
Suite 100
Woodland Hills, CA 91367

Questions concerning the contents of this Notice and requests for copies of filed proofs of claim should be directed to Omni at 866-771-0561 or for international calls at 818-528-5953. Please note that neither Omni’s staff, counsel to the Debtors nor the Clerk’s Office is permitted to give you legal advice.

A holder of a potential Prepetition Claim against the Debtors should consult an attorney regarding any matters not covered by this Notice, such as whether the holder should file a proof of claim.

Dated: _____
New York, New York

BY ORDER OF THE COURT

*Counsel to the Debtors and
Debtors in Possession*
ALSTON & BIRD LLP
Gerard S. Catalanello
William Hao
90 Park Avenue
New York, NY 10016
Telephone: (212) 210-9400

**If you have any questions related to this notice, please call 818-771-0561,
or 518-528-5953 for international calls**

EXHIBIT 3

Publication Notice

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	CHAPTER 11
)	
K.G. IM, LLC, <i>et al.</i> , ¹)	CASE NO. 20-11723 (MG)
)	
Debtors.)	(Jointly Administered)

**NOTICE OF (I) DEADLINE REQUIRING
FILING OF PROOFS OF CLAIM BY CREDITORS ON OR BEFORE
DECEMBER 15, 2020 AND (II) DEADLINE REQUIRING FILING OF PROOFS
OF CLAIM BY GOVERNMENTAL UNITS ON OR BEFORE JANUARY 25, 2021**

**TO ALL CREDITORS OF THE DEBTORS AND DEBTORS IN POSSESSION LISTED
BELOW:**

PLEASE TAKE NOTICE THAT: On July 28, 2020 (the “**Petition Date**”), the debtors and debtors in possession listed below (each a “**Debtor**” and collectively, the “**Debtors**”) filed a voluntary petition for relief pursuant to chapter 11 of the Bankruptcy Code (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of New York (the “**Court**”). An additional Debtor, IM Payroll, LLC filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code on July 31, 2020. Set forth below are the names under which each Debtor has conducted business, its tax identification, and its respective case number:

Debtor	Tax ID	Case No.
K.G. IM, LLC	20-0688556	20-11723 (MG)
IL Mulino USA, LLC	43-2041682	20-11724 (MG)
IM LLC – III	20-0122613	20-11725 (MG)
IMNYLV, LLC	20-0119805	20-11726 (MG)
IM NY, Florida, LLC	20-2919385	20-11727 (MG)
IM NY, Puerto Rico, LLC	20-2920901	20-11728 (MG)
IMNY AC, LLC	26-0325082	20-11729 (MG)
IM Products, LLC	20-2610303	20-11730 (MG)
IM Long Island Restaurant Group, LLC	20-1051623	20-11731 (MG)
IM Long Island, LLC	20-1051488	20-11732 (MG)
IM Franchise, LLC	20-2750565	20-11733 (MG)
IM 60 th Street Holdings, LLC	45-4859997	20-11734 (MG)
IM Broadway, LLC	46-5124335	20-11735 (MG)
IMNY Hamptons, LLC	82-3940423	20-11736 (MG)
IM Payroll, LLC	46-3050807	20-11778 (MG)

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (if any), include: K.G. IM, LLC (8556); Il Mulino USA, LLC (1682); IM LLC – III (2613); IMNYLV, LLC (9805); IM NY, Florida, LLC (9385); IM NY, Puerto Rico, LLC (0901); IMNY AC, LLC (5082); IM Products, LLC (0303); IM Long Island Restaurant Group, LLC (1623); IM Long Island, LLC (1488); IM Franchise, LLC (0565); IM 60th Street Holdings, LLC (9997); IM Broadway, LLC (4335); IMNY Hamptons, LLC (0423) and IM Payroll, LLC (0807). For the purpose of these chapter 11 cases, the service address for the Debtors is: 1761 Yardley Langhorne Rd., Yardley, PA 19067.

PLEASE TAKE FURTHER NOTICE that, pursuant to an order of the Court (the “**Bar Date Order**”) dated [], 2020, and in accordance with Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure, all creditors of the Debtors (with limited exceptions listed in the Bar Date Order) who do not file a completed and executed proof of claim form in accordance with the procedures established in the Bar Date Order on account of any “claim” (as defined in section 101(5) of the Bankruptcy Code) against any of the Debtors that arose prior to the Petition Date, including any administrative expense claims arising under section 503(b)(9) of the Bankruptcy Code (the “**Prepetition Claims**”) on or before 5:00 p.m. (prevailing Eastern Time) on December 15, 2020 (the “**General Bar Date**”), or on or before 5:00 p.m. (prevailing Eastern Time) on January 25, 2021 for holders of Prepetition Claims that are governmental units as defined in section 101(27) of the Bankruptcy Code (the “**Governmental Unit Bar Date**,” and together with the General Bar Date, the “**Bar Dates**”), shall be forever barred, estopped and permanently enjoined from asserting such claim against any of the Debtors, the Debtors and their respective property shall be forever discharged from any and all indebtedness or liability with respect to such claim, and such holder shall not be permitted on account of such claim to vote on any plan proposed in the Debtors’ chapter 11 cases or participate in any distribution under any plan in the Debtors’ chapter 11 cases; provided, however, that, at this time, proofs of claim ARE NOT REQUIRED to be filed by creditors of the types that are set forth in clauses (a) through and including (h) below:

- (a) Any claim as to which the holder has already filed a proof of claim against the Debtors in the above-captioned case in a form substantially similar to Official Bankruptcy Form No. 410 so long as the claimant does not wish to assert such claim against a Debtor who was not named in the original claim, in which case another Proof of Claim must be filed;
- (b) Any claim that is listed on the Schedules filed by the Debtors, provided that (i) the claim is not scheduled as “disputed”, “contingent” or “unliquidated”; and (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules; and (iii) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- (c) Any claim that heretofore has been allowed by Order of this Court;
- (d) Consistent with paragraph 43 of the *Interim Order: (I) Authorizing The Debtors To Obtain Postpetition Financing; (II) Authorizing The Debtors To Use Cash Collateral; (III) Granting Adequate Protection To The Prepetition Secured Parties; (IV) Granting Liens and Providing Claims With Superpriority Administrative Expense Status; (V) Modifying the Automatic Stay; and (VI) Granting Related Relief* (ECF No. 259) (the “**Interim DIP Order**”), none of the Prepetition Secured Parties shall be required to file proofs of claim or requests for approval of administrative expenses in any of the chapter 11 cases, and the provisions of the Interim DIP Order relating to the Prepetition Obligations shall constitute timely filed Proofs of Claim and/or administrative expense requests in each of the chapter 11 cases; provided that notwithstanding anything to the contrary herein, the Prepetition Agent is authorized, but not required, to file one master proof of claim (any such claim, a “**Master Proof of Claim**” by the General Claims Bar Date for principal, interest, applicable premium (if any), fees and expenses (including attorneys’ fees), and all other amounts payable

under Prepetition Credit Documents, as applicable, on behalf of itself and the Prepetition Secured Lenders;

- (e) Any claim that has been paid in full by any of the Debtors;
- (f) Any claim for which different specific deadlines have previously been fixed by this Court including pursuant to the Order Establishing Procedures For The Assertion and Payment of PACA Claims, PASA Claims, And Related Relief Pursuant to Sections 105(a), 363 and 507(a) of the Bankruptcy Code (ECF No. 261);
- (g) Any claim by a Debtor against another Debtor;
- (h) Any claim allowable under § 503(b) and § 507(a) (2) of the Bankruptcy Code as an expense of administration of the Debtor's estate, except as otherwise provided below;
- (i) an employee of the Debtors, but only to the extent that such claim is solely for outstanding wages, base salary, commissions, benefits, bonuses or other ordinary course compensation; provided, however, that any employee of the Debtors who wishes to assert a claim against the Debtors that is not based solely on outstanding wages, base salary, commissions, benefits, bonuses or other ordinary course compensation must file a proof of such claim on or prior to the General Bar Date.

PLEASE TAKE FURTHER NOTICE that each proof of claim form must specifically set forth the full name and proper chapter 11 case number of the Debtor against which such claim is asserted. If you have a Prepetition Claim against more than one Debtor, you MUST file a separate proof of claim against each Debtor against which you assert a claim. You SHOULD NOT include claims against more than one Debtor on a single proof of claim form.

PLEASE TAKE FURTHER NOTICE that each proof of claim must be filed so that it is received on or before the applicable Bar Date at the following address:

K.G. IM, LLC
c/o Omni Agent Solutions
5955 De Soto Avenue, Suite 100
Woodland Hills, CA 91367

Each proof of claim must be filed, including supporting documentation, by U.S. mail, overnight delivery or other hand delivery system, so as to be **actually received** on or before the applicable bar date in accordance with the Bar Date Order by Omni Agent Solutions (“Omni”).

Proofs of claim will be deemed filed only when received by Omni, the Debtors' claims and noticing agent, or the Bankruptcy Court on or before the applicable deadline. The proof of claim must be a completed and signed original written proof of claim. Proofs of claim may not be delivered by facsimile, telecopy, or electronic mail transmission. If you submit a proof of claim to Omni by first-class mail, hand delivery, or overnight mail at the applicable address above and you wish to receive acknowledgment of Omni's receipt of such proof of claim, you also must submit to Omni by the applicable Bar Date, and concurrently with the submission of your original proof of claim, (a) a copy of the original proof of claim, and (b) a self-addressed, stamped return envelope.

Alternatively, proofs of claim may be submitted electronically through the electronic filing system available at <https://omniagentsolutions.com/ilmulino>

PLEASE TAKE FURTHER NOTICE THAT IF ANY CREDITOR THAT IS NOT EXEMPTED FROM THE REQUIREMENT TO FILE A PROOF OF CLAIM AND THAT FAILS TO FILE A PROOF OF CLAIM ON OR BEFORE DECEMBER 15, 2020 (OR JANUARY 25, 2021, IN THE CASE OF GOVERNMENTAL UNITS) ON ACCOUNT OF ANY PREPETITION CLAIM SUCH CREDITOR HOLDS OR WISHES TO ASSERT AGAINST ANY OF THE DEBTORS, THEN SUCH CREDITOR SHALL NOT BE PERMITTED TO VOTE ON ANY PLAN FOR THE DEBTORS OR PARTICIPATE IN ANY DISTRIBUTION IN THE DEBTORS' CHAPTER 11 CASES ON ACCOUNT OF SUCH CLAIM.

You may be listed as the holder of a Prepetition Claim against one or more of the Debtors on the Schedules. Copies of the Debtors' Schedules are available for inspection free of charge at <https://omniagentsolutions.com/ilmulino>. Copies of the Debtors' Schedules are also available on the Court's Public Access to Court Electronic Records ("PACER") at <http://ecf.nysb.uscourts.gov>; a login and password are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules and Bar Date Order may also be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, One Bowling Green, New York, New York 10004-1408. Copies of the Schedules and Bar Date Order may also be obtained by written request (at your cost) to the Debtors' claims and noticing agent at the following address:

K.G. IM, LLC
c/o Omni Agent Solutions
5955 De Soto Avenue, Suite 100
Woodland Hills, CA 91367

Questions concerning the contents of this Notice and requests for copies of filed proofs of claim should be directed to Omni at 866-771-0561 or for international calls at 818-528-5953. **Please note that neither Omni's staff nor counsel to the Debtors are permitted to give you legal advice. You should consult your own attorney for assistance regarding any other inquiries, such as questions concerning the completion or filing of a proof of claim. A holder of a potential Prepetition Claim against the Debtors should consult an attorney regarding any matters not covered by this Notice, such as whether the holder should file a proof of claim.**

Dated: _____
New York, New York

BY ORDER OF THE COURT

*Counsel to the Debtors and
Debtors in Possession*
ALSTON & BIRD LLP
Gerard S. Catalanello
William Hao
90 Park Avenue
New York, NY 10016
Telephone: (212) 210-9400